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US PTO

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16334 U.S. PTO  
10/716613  
112003

Date: November 20, 2003

Docket No.: 2593-0142P

## MS PATENT APPLICATION

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This is a Request for filing a  continuation  divisional  
 continuation-in-part application under 37 C.F.R. § 1.53(b) of  
pending prior Application No. 10/121,592 filed on April 15, 2002,  
the entire contents of which are hereby incorporated by  
reference,  
by

Noboru SAITO; Hiroyuki TAKAHASHI; Noriyuki IGARASHI; Keiichi  
FUKUMOTO; Hiroto NAKAMURA; Yutaka WATANABE; Kenichi SHIMADA

for

DEVICE TESTING APPARATUS

1.  Enclosed is an application consisting of specification,  
claims, declaration and drawings/photographs (if  
applicable).

2.  The filing fee has been calculated as follows:

		LARGE ENTITY		SMALL ENTITY		
BASIC FEE		\$770.00		\$385.00		
	NUMBER FILED	NUMBER EXTRA	RATE	Fee	RATE	Fee
<b>TOTAL CLAIMS</b>	37-20 =	17	x 18 =		x 9 = \$0.00	
<b>INDEPENDENT CLAIMS</b>	7-3 =	4	x 86 =		x 43 = \$0.00	
<input type="checkbox"/> MULTIPLE DEPENDENT CLAIMS PRESENTED			+ \$290.00		+ \$145.00	
		<b>TOTAL</b>	\$1,420.00		\$0.00	

3.  A check in the amount of \$1,420.00 to cover the filing fee and recording fee (if applicable) is enclosed.

4.  Please charge Deposit Account No. 02-2448 in the amount of \$0.00. A triplicate copy of this request is enclosed.

5.  Enclosed is/are twenty-eight (28) sheet(s) of formal drawings and/or photographs.

6a.  A statement claiming small entity status was filed in prior Application No. 10/121,592 on \_\_\_\_\_. See the attached copy of the statement claiming small entity status.

6b.  The current application qualifies for small entity status.

7.  The prior application is assigned to ADVANTEST CORPORATION.

8.  A Preliminary Amendment is enclosed.

9a.  Priority of Application Nos. 10-333,864 filed in Japan on November 25, 1998, 10-364,356 filed in Japan on December 22, 1998, and 10-351,357 filed in Japan on December 10, 1998 are claimed under 35 U.S.C. § 119. See attached copy of the Letter claiming priority filed in the prior application on February 23, 2000.

9b.  Priority of International Appln. \_\_\_\_\_ filed on \_\_\_\_\_ under the Patent Cooperation Treaty and \_\_\_\_\_ Application No. \_\_\_\_\_ filed in \_\_\_\_\_ on \_\_\_\_\_ under 35 U.S.C. § 120 and/or § 119 are hereby reclaimed.

10.  An Information Disclosure Statement and PTO-1449 form(s) are attached hereto for the Examiner's consideration.

11.  Address all future communications to:

BIRCH, STEWART, KOLASCH & BIRCH, LLP  
P.O. Box 747  
Falls Church, VA 22040-0747  
(703) 205-8000  
**or**  
Customer No. 02292

12.  An extension of time for three (3) month(s) until November 21, 2003 has been submitted in parent Application No. 10/121,592 in order to establish co-pendency with the present application.

13.  Also enclosed herewith is the following:

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If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By Joe McKinney Muncy  
Joe McKinney Muncy, #32,334

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KM/asc  
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Attachment(s)

(Rev. 10/30/03)